

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
 Dae et al. )  
 Application No.: To Be Determined )  
 Filed: August 27, 2003, Herewith )  
 For: Method Of Controlling Body )  
Temperature While Reducing Shivering )

Art Unit: To Be Determined  
 Examiner: To Be Determined

31109 U.S.PTO  
 10/676880  
 100103

**Transmittal of a Continuation Utility Patent Application**

Express Mail mailing label no. EV 330332367 US

Mail Stop Patent Application  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith for filing is the continuation utility patent application for "Method Of Controlling Body Temperature While Reducing Shivering".

- ☒ The applicant(s) hereby request(s) the filing of the continuation patent application under 37 CFR §1.53(b) is a continuation of application Serial No. 10/137,741, filed May 2, 2002, which is a continuation-in-part of United States Patent Application Serial No. 09/372,714 filed on August 11, 1999 and now issued as U.S. Patent No. 6,231,594. No amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.
- ☒ A true copy of the following are enclosed:
  - ☒ the prior application as filed, including all 43 pages of specifications (including 38 pages of written description; 4 pages of claims (Claims 1-31), 1 page of Abstract) and 8 sheets of formal drawings; and
  - ☒ the declaration of inventorship showing the signatures or an indication it was signed.

- ☐ Applicant hereby requests that the above-referenced patent application, filed concurrently herewith, **NOT BE PUBLISHED** under 35 U.S.C. §122(b). In making this request, applicants certify that the invention disclosed in the application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at 18 months after filing.
- ☐ Please delete the names of the following persons who are not inventors of the invention being claimed in this divisional application:
- ☒ Please amend the specification after the granting of a filing date herein by inserting before the first line the sentence: --This is a continuation application Serial No. 10/137,741, filed May 2, 2002, which is a continuation-in-part of United States Patent Application Serial No. 09/372,714 filed on August 11, 1999 and now issued as U.S. Patent No. 6,231,594.--
- ☒ Applicant will file a subsequent preliminary amendment presenting new claims for prosecution.
- ☒ Check No. 31 81 covering the filing fee in the amount of \$474.00 accompanies this application, calculated as follows:

| For                                   | (Col. 1)<br>No. Filed | (Col. 2)<br>No. extra | Small entity<br>Rate | Fee    | Or    | Other than a<br>Small entity<br>Rate | Fee     |
|---------------------------------------|-----------------------|-----------------------|----------------------|--------|-------|--------------------------------------|---------|
| Basic fee                             |                       |                       |                      | \$ 375 | Or    |                                      | \$      |
| Total claims                          | 31                    | - 20 =                | 11                   | x 9    | \$ 99 | Or                                   | x 18 \$ |
| Indep claims                          | 1                     | - 3 =                 | 0                    | x 0    | \$    | Or                                   | x 78 \$ |
| _ Multiple dependent claims presented |                       |                       | + 130                | \$     | Or    | + 260                                | \$      |
|                                       |                       |                       | Total                | \$474  | Or    | Total                                | \$      |

- ☒ An Assignment to Radiant Medical, Inc. was previously recorded in the parent application Serial No.10/137,741 on Reel/Frame 013192/0203.
- ☐ A Statement of Ownership and Power of Attorney.
- ☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No. 50-0878.
- ☒ Eight (8) formal drawings are enclosed.
- ☒ The undersigned is the Applicant's attorney of record in the prior application, and all future communications should be addressed to the undersigned at the new address shown here-below.

- ☐ The statement(s) of Small Entity Status filed in the prior application is no longer proper and is hereby withdrawn.
- ☒ An information disclosure statement is enclosed.

STOUT, UXA, BUYAN & MULLINS, LLP

Date: September 30, 2003



Robert D. Buyan, Reg. No. 32,400

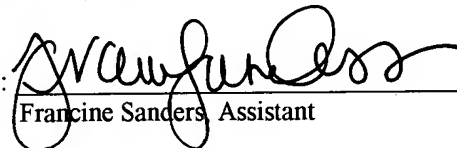
4 Venture, Suite #300  
Irvine, CA 92618  
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CERTIFICATE OF MAILING

I hereby certify that this Transmittal letter, the above-identified documents and papers, and a return postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on August 27, 2003 and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 30, 2003.

Dated: September 30, 2003

By:   
Francine Sanders, Assistant